# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/584,865 | 05/04/2007 | Anders Andersson | 4660-10 | 7775 |

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| EXAMINER |
|---|
| BEYEN, ZEWDU A |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *07 September 2010*.
2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *27,28,30,32,34-37,39,41,43,44,46 and 48* is/are pending in the application.
⠀⠀4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *27-28,30,32,34-37,39,41,43-44,46, and 48* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
⠀⠀Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
⠀⠀Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
⠀⠀a)☐ All   b)☐ Some * c)☐ None of:
⠀⠀⠀1.☐ Certified copies of the priority documents have been received.
⠀⠀⠀2.☐ Certified copies of the priority documents have been received in Application No. _____.
⠀⠀⠀3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
⠀⠀* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
⠀⠀Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
⠀⠀Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

## DETAILED ACTION

### Response to Amendment

- This action is responsive to amendment dated 09/07/2010.

- Applicant's amendments filed on 09/07/2010 has been entered and considered.

- Claims 29,31,33, 38, 40,42,45,47, and 49 have been canceled.

- Claims 27-28,30,32,34-37,39,41,43-44,46, and 48 are pending.

- Claims 27-28,30,32,34-37,39,41,43-44,46, and 48 stand rejected.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.  Determining the scope and contents of the prior art.
2.  Ascertaining the differences between the prior art and the claims at issue.
3.  Resolving the level of ordinary skill in the pertinent art.
4.  Considering objective evidence present in the application indicating
    obviousness or nonobviousness.

Claims 27-28,30,32,34,36,37,39,41,43-44,46, and 48 are rejected under 35 U.S.C.

103(a) as being unpatentable over Biggs to **(US6564066),**in view of Boland to

**(EP1045604A2),**further in view of Chavez to **(US6192234)**

**Regarding claim 27,36, and 43** Biggs teaches  assigning one or more priority-groups to

a user-register of the user-device, each priority-group being unique for a group of

multiple users **(Abstract, and fig.1 discloses Each communication unit (112A through**

**112F) and talkgroup in a communication system (100) is assigned a priority at each**

**site (106, 108, and 110) in the system. As communication units (112A through 112F)**

**request resources, contention among requesters at a site is resolved by the priority**

**of requesters at the site. System-wide resources are allocated equitably based on the**

**geographical location of the communication unit using site-based priority).**

providing multiple  priority-tables, each associated with one or several coverage

areas of the system **(see fig.2)**

providing said priority-tables with one or several priority-levels associated with a quality

of service , where each priority- level is assigned one or more priority-groups**(Abstract,**

**and fig.1, and fig.2 discloses Each communication unit (112A through 112F) and**

**talkgroup in a communication system (100) is assigned a priority at each site (106,**

**108, and 110) in the system. As communication units (112A through 112F) request**

**resources, contention among requesters at a site is resolved by the priority of**

**requesters at the site. System-wide resources are allocated equitably based on the**

**geographical location of the communication unit using site-based priority).,**

providing said priority-tables with an area-identifier that associates the priority-table with

a coverage area **(see fig.2)** , retrieving the present coverage area for said user-device,

identifying a priority-table by matching the present coverage area for the user-device with

the coverage areas associated with the priority-tables by the area-identifier**(Abstract, and**

**fig.1 discloses Each communication unit (112A through 112F) and talkgroup in a communication system (100) is assigned a priority at each site (106, 108, and 110) in the system. As communication units (112A through 112F) request resources, contention among requesters at a site is resolved by the priority of requesters at the site. System-wide resources are allocated equitably based on the geographical location of the communication unit using site-based priority).**

depending on a possible match of the priority-groups defined in the user-register and the priority-groups assigned to the priority-levels in the priority-table, the quality of service associated with a priority-level is assigned to the user-device so that a group of multiple users can be proviced with a particular quality of service**( col.2 lines 66-67 to col.3 lines 1-8 discloses Each communication unit is assigned a priority for each site in the system. Similarly, talkgroups on the communication system are each assigned a priority for each site associated with the system. As requests are received from communication units, communication resources and the like, are allocated based on the talkgroup and communication unit priorities at the particular site providing resources. In this manner, communication units and talkgroups have varying priorities based on the site at which resources are requested)**

Biggs does not explicitly teach distributing the user-register to the user-device and/or predefining the user-register in the user-device, distributing the priority-table to the user-device and/or predefining the priority-table in the user-device, determining limitations on the quality of service in the user-device such that the user-device determines whether it is allowed to establish a traffic channel

However, Boland teaches distributing the user-register to the user-device**(par [0012]**

**discloses home location register that stores data for subscriber with a priority**

**information**), and/or predefining the user-register in the user-device, and, distributing the

priority-table to the user-device and/or predefining the priority-table in the user-

device**(abstract discloses predetermined service priority)** determining limitations on

the quality of service and determines whether it is allowed to establish a traffic

channel**(par [0012] discloses home location register that stores data for subscriber**

**with a priority information. Further more, abstract discloses proving guaranteed**

**communication service to priority wireless communication subscribers, and wireless**

**subscribers who have been assigned a predetermined service priority are provided**

**with access to reserved wireless communication)**.


Therefore it would have been obvious to one ordinarily skilled in the art at the time the

invention was made to enable the system of Biggs Biggs does not explicitly teach

distributing the user-register to the user-device and/or predefining the user-register in the

user-device, distributing the priority-table to the user-device and/or predefining the

priority-table in the user-device, determining limitations on the quality of service and

determines whether it is allowed to establish a traffic channel, as suggested by Boland.

This modification would benefit Biggs to efficiently provide terminals with a better

quality of service according to their locations.

The combination of Biggs and Boland does not explicitly teach said match is

performed within the user-device

However, Chavez teaches said match is performed within the user-device **(col.3
lines 24-30 discloses , FIGS. 2-4, each wireless terminal maintains a table that
defines for each area as indicated in Column 201 of FIG. 2, the telephone coverage
number for the area as defined in Column 202, the priority that the wireless
terminal has in each area as indicated in Column 203, the identification number of
the fixed unit for an area as indicated in Column 204, and the individual assigned
telephone number for the wireless terminal in each of the areas as indicated in
Column 206. Furthermore, col.3 lines 13-14 disclose obtaining the location
information based on the identity of the fixed unit. Thus, matching the priority with
the area is done on the terminal)**.

Therefore it would have been obvious to one ordinarily skilled in the art at the
time the invention was made to enable the system of The combination of Biggs and
Boland said match is performed within the user-device,as suggested by Chavez. This
modification would benefit Biggs to efficiently provide terminals with a better quality of
service according to their locations.


**Regarding claims 30**, **39, and 46** Biggs teaches said area-identifier is associated with a
covering area corresponding to one of: a Location Area Identification (LAI), a Routing
Area Identification (RAI), a Cell Identity (CI), a Cell Global Identification (CGI) and/or
corresponding to a RNC Identifier (RNC-Id) or a Service Area Identifier (SAI)(**see
abstract and fig.2)**

**Regarding claims 28, 37, and 44** Biggs does not explicitly teach linking the user-register

to a user subscription within the telecommunication system, which subscription in turn is

linked to a user-device

However, Boland teaches linking the user-register to a user subscription within

the telecommunication system, which subscription in turn is linked to a user-device **(par**

**[0012] discloses home location register that stores data for subscriber with a priority**

**information. Thus, data that is send out from the subscriber is associated with a**

**priority information and other subscriber information)**.

Therefore it would have been obvious to one ordinarily skilled in the art at the

time the invention was made to enable the system of Biggs linking the user-register to a

user subscription within the telecommunication system, which subscription in turn is

linked to a user-device , as suggested by Boland. This modification would benefit Biggs

to efficiently provide terminals with a better quality of service according to their

locations.

**Regarding claim 34**, Boland teaches altering the quality of service in a certain area by

amending an existing user-register **(abstract discloses denying access to wireless**

**communication subscribers when they attempt to initiate a wireless call connection**

**in the impacted call coverage area).**

Therefore it would have been obvious to one ordinarily skilled in the art at the

time the invention was made to enable the system of Biggs altering the quality of service

in a certain area by amending an existing user-register, as suggested by Boland. This

modification would benefit Biggs to efficiently provide terminals with a better quality of

service according to their locations.


**Regarding claims 32, 41, and 48** The combination of Biggs and Boland and Chavez

teaches an additional step in that the user-device determines one-sided limitations on the

quality of service **(par [0012] discloses home location register that stores data for**

**subscriber with a priority information. Further more, abstract discloses proving**

**guaranteed communication service to priority wireless communication subscribers,**

**and wireless subscribers who have been assigned a predetermined service priority**

**are provided with access to reserved wireless communication)**.


Claim 35, is rejected under 35 U.S.C. 103(a) as being unpatentable over Biggs and

Boland and Chavez further in view of Le to **(US-PG-PUB20070097941)**.


**Regarding claim 35**, the combination of Biggs and Boland and Chavez does not

explicitly teach altering the quality of service in a certain area by amending an existing

priority-table

However, Le teaches altering the quality of service in a certain area by amending

an existing priority-table **(Le, fig.3, and [0024] disclose a prioritizer 130 records the**

**upload activity of a wireless device 105 during the priority allocated transmission**

**slots and change that device's priority accordingly. The prioritizer records the**

**activity of wireless device 105A over transmission slots and adjusts the priority of**

**device 105A to reflect its uploading activity during those time periods. Thus,**

**adjusting the priority of the device results adjusting the priority table of the**

**network so that the device receives an appropriate quality of service)**


Therefore it would have been obvious to one ordinary skill in the art at the time

the invention was made to enable the system of the combination of Biggs and Boland and

Chavez by altering the quality of service in a certain area by amending an existing

priority-table, as suggested by Le. This modification would benefit the system to provide

users with a larger service coverage area with better quality of services.

### Response to Arguments

Applicant's arguments have been considered but are not persuasive

Applicant argues that "Even after combining the four (4) documents Biggs, Boland,

Chaves, and Artamo, these claim features are missing. The technology recited in claim 27

enables the UE to compare the received priority-table with the user-register previously

stored in the UE, and the UE may then decide for itself, i.e., without involving the

UMTS-network, if it should inquire a certain level of service from the UMTS-network or

not, depending upon a possible match of the priority-groups defined in the user-register

and the priority-groups associated with the priority-levels in the priority-table. Rather

than the UE having to request the UMTS-network for a certain level of service, the UE

may itself determine one-sided limitations on the quality of service. The UE may also

determine from the comparison that it is not allowed to attempt to establish a traffic

channel with the UMTS-network in the present coverage area. With the UE comparing

the user- register with priority-tables and controlling the quality of service provided to it,

the demands on the UMTS-network can be radically reduced if the quality of service is

generally determined by the UE itself. Indeed, the UE determining whether it is allowed

to establish a traffic channel with the UMTS-network is performed essentially without

imposing any load on the network. None of the four applied documents discloses these

advantages of the technology recited in claim 27." Examiner respectfully disagrees,

Chavez  clearly teaches perform matching within the user-device **(col.3 lines 24-30)**

### *Conclusion*

**THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action.  In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ZEWDU BEYEN whose telephone number is (571)270-

7157.  The examiner can normally be reached on Monday thru Friday, 9:30 AM to 6:00

PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy Vu can be reached on 1-571-272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Z. B./

Examiner, Art Unit 2461

/Huy D Vu/

Supervisory Patent Examiner, Art Unit 2461